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particular, the Examiner cited Cong et al. as teaching “a method of generating speech coding parameters in a bitstream”, using “LSP calculations”, and calculating the “Euclidean distance between the LSPs of contiguous frames”. The Examiner then cited Aoyagi as teaching the use of a “threshold based upon the difference in LSP parameters in adjacent subframes” and concluded that “it would have been obvious to one of ordinary skill in the art of speech processing to modify the teachings of Cong et al. . . . with thresholding and frame deletion because it would advantageously generate a more accurate representation of speech (Aoyagi)’.

Applicant disagrees with the Examiner’s characterization of the cited references, as well as with the conclusion that the combination of Cong et al. and Aoyagi render obvious the subject matter of independent claim 2. First, the Examiner stated that Cong et al. teaches the calculation of the Euclidean distance “between contiguous frames”. This is not completely accurate. Cong et al. discusses the use of the Euclidean distance measurement to find the “best match” between a current speech frame and “stored reference patterns” (column 2, beginning at line 48). The distance measurement, as discussed in Cong et al., “measures to quantify the score of fitness or closeness between the representation of speech input signal 101 and *each of the stored reference patterns 208*”. There is no distance measurement “between contiguous frames” disclosed or even suggested in Cong et al., where such a method for measuring the distance between “adjacent frames” is required in accordance with the present invention, and defined in rejected claim 2, so that a user can determine how to handle an erased frame.

In fact, applicant asserts that neither reference cited by the Examiner even discusses the problem of “erased frames”, where this is precisely the issue addressed by the method of rejected claim 2. The cited Aoyagi reference is directed to adaptively selecting particular interpolation and/or quantized values to use based on “threshold” information. The “threshold” is not associated with the measured Euclidean distance between “adjacent frames”, nor is the Aoyagi threshold used to determine whether or not to “delete” the LSPs of a selected frame - which is the purpose of applicant’s invention and particularly defined in rejected claim 2. Aoyagi is solely concerned with selecting

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the proper coding scheme from three different available options. Again, the subject of "erased frames" is not discussed in the cited Aoyagi reference.

Based on these differences between the subject matter of claim 2 and the combination of Cong et al. and Aoyagi, applicant asserts that the cited combination of references cannot be found to render obvious the teachings of the present invention as defined by claim 2. Applicant thus respectfully requests the Examiner to reconsider this rejection and find claim 2 to be in condition for allowance.

***35 USC § 103(a) Rejection - Claims 4,5***

The Examiner further rejected dependent claims 4 and 5 under 35 USC 103(a) as being unpatentable over Cong et al. and Aoyagi, as noted above, in further view of US Patent 6,230,124 (Maeda). The Examiner cited Maeda as teaching "detecting an error by check code created from the most important bits", and concluded "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cong et al. ... in view of Aoyagi ... to detect a frame erasure based on error bits because it would improve the quality of the signal by preventing transmission path errors [citing Maeda]".

In response, applicant asserts that inasmuch as the cited combination of Cong et al. and Aoyagi does not disclose or suggest any method of generating speech coding parameters of *an erased frame*" - as discussed above - the combination of Maeda with these references still lacks this basic teaching. Applicant therefore respectfully requests the Examiner to also reconsider this rejection and find claims 4 and 5 to be in condition for allowance.

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In summary, applicant believes that the case in its present form is in condition for allowance and respectfully requests an early and favorable response from the Examiner in that regard. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

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